

**BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING**

Pursuant to A.R.S. Section 38-431.02, Notice is hereby given that a public hearing will be held by the Board of Adjustment on Wednesday, **March 24, 2010** at 1:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda Street, Tucson, Arizona, at the time notified, in the following appeals. A study session will be held, prior to the public hearing, at approximately 12:30 p.m.

Pursuant to A.R.S. Section 38-431.03.A.3, Notice is hereby given that the Board of Adjustment, City of Tucson, may meet in Executive Session for the purpose of discussion or consultation for legal advice with the attorneys for the Board. This Executive Session is authorized under A.R.S. Section 38-431-03.A.3.

A field inspection of all properties subject to appeal will be conducted by The Board of Adjustment on **Monday, March 8, 2010**.

The City of Tucson endeavors to make all public meetings accessible to persons with special needs. Please call Board of Adjustment staff at 791-5550 (voice) or 791-2639 Telecommunications Device for The Deaf (TDD) with at least five working days prior to the meeting date if you require additional assistance. Auxiliary aides and services are available with prior notice. For example: agenda materials printed in Braille, large print or a language other than English, foreign language interpreter, a signer for the hearing impaired, etc. The Chambers is wheelchair accessible and an audio loop for the hearing impaired is in place.

Titulo: Notificación de audiencia pública con La Mesa de Ajustes

Tema: Para Oír y tomar en consideración los siguientes casos:

**Si usted desea información en Español por favor llame al número 791-5550.
Cuando llame por esta información, por favor indique el titulo y el caso.**

AT OR AFTER 1:30 P.M.

CONTINUED CASES

**C10-10-03 STARR PASS BLOCK 25 C9-98-25/STARR PASS RESIDENTIAL LLC,
3645 WEST STARR PASS BOULEVARD, SR/C-1**

The appellant (F. C. Ansley) is appealing the Zoning Administrator's (ZA) determination regarding the rezoning status for Block 25 of the property related to rezoning case C-98-25. On November 1, 2004, the Mayor and Council authorized a five-year time extension for rezoning case C9-98-25 from November 8, 2004 to November 8, 2009 subject to issuance of permits for construction of the proposed development by November 8, 2009. In a letter dated November 23, 2009, the Zoning Administrator determined that the plans and permits for the development were never completed and approved and therefore the rezoning has expired and cannot be extended again. Tucson *LUC* Sections applicable to this appeal include, in part, but are not limited to the following: Section 1.2.1, which provides for the Zoning Administrator to interpret the provisions of

the *LUC* and Section 5.1.7.3 which provides for the Board of Adjustment to hear and decide on appeals made to the Zoning Administrator's decision. The appellant is requesting reversal of the Zoning Administrator's determination, dated November 23, 2009.

C10-10-04 FRIEDMAN RECYCLING COMPANY/FRIEDMAN RECYCLING, 1825 WEST PRICE STREET, I-1

The appellant (G. Krauja) is appealing the Zoning Administrator's (ZA) determination, dated November 20, 2009, that outside storage associated with the "Salvaging and Recycling" use at 1825 West Price Street is not allowed. Tucson *Land Use Code (LUC)* Sections applicable to this appeal include, in part, but are not limited to the following: Section 1.2.1, which provides for the Zoning Administrator to interpret the provisions of the *LUC* and Section 5.1.7.3 which provides for the Board of Adjustment to hear and decide on appeals made to the Zoning Administrator's decision. The appellant is requesting reversal of the Zoning Administrator's determination, dated November 20, 2009.

NEW CASE

C10-10-05 MR. HEAD'S ART BAR/PATIO EXPANSION/MICAH BLATT, 509/513 NORTH 4TH AVENUE, C-3

The applicant's property is a 6,098 square foot site developed with a 4,736 square foot commercial structure. The applicant proposes a bar with a new outdoor seating area. The proposed use is a change of use and will require the entire site be brought into compliance with all Tucson *Land Use Code (LUC)* development criteria applicable to the new use. *LUC* Sections applicable to this project include, but are not limited to, the following: Section 2.5.5 which provides the design criteria applicable to development in the C-3 zone, Sections 3.3.4 and 3.3.7 which provide the motor vehicle and bicycle parking requirements, Section 3.4.4 and 3.4.5 which provides the off-street loading requirements, and Sections 3.7.2 and 3.7.3 which provide the landscape and screen requirements applicable to the project. The applicant is requesting the variances necessary to modify or delete landscaping and screening, loading and parking requirements for this project, as shown on the submitted plan.

Persons interested may appear in person, by agent, or attorney, file a letter of protest or approval with the secretary. The petitioners on these appeals must appear, or be represented, if action is to be taken by the Board of Adjustment.

BOARD OF ADJUSTMENT
Post Office Box 27210
Tucson, Arizona 85726-7210
Sue Montes, Secretary (assigned to the)
Board of Adjustment

If you wish further information, please call Russlyn Wells at 791-5550.

Publish: Monday, March 8, 2010

CG:RW:sm:/BA:legmar10